

Misbranding was alleged in that the representation in the labeling that the article was a natural diuretic eliminant water used in treating diabetes and kidney and bladder trouble, was false and misleading since it was not efficacious for the purposes so recommended.

On September 15, 1939, the Robinson Spring Water Co., Michigan distributors, Detroit, Mich., having appeared as claimant for the lot seized at Detroit, Mich., and having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be properly relabeled. On June 25, 1940, an answer having been filed in the Southern District of Florida admitting the allegations of the libel, judgment of condemnation was entered and the product in that district was ordered destroyed.

**207. Misbranding of Rogers' Mineral Extract. U. S. v. 12 Bottles of Rogers' Mineral Extract. Default decree of condemnation and destruction. (F. D. C. No. 1606. Sample No. 61879-D.)**

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions mentioned below.

On March 12, 1940, the United States attorney for the Southern District of Mississippi filed a libel against 12 bottles of Rogers' Mineral Extract at Perkinston, Miss., alleging that the article had been shipped in interstate commerce on or about January 25, 1940, by the Rogers Mineral Co. from Cullomburg, Ala.; and charging that it was misbranded.

Analysis showed that the article was a water solution containing approximately 6 percent of mineral matter, mainly iron, aluminum, and sodium sulfates.

It was alleged to be misbranded in that its labeling bore representations that it was efficacious in the treatment of indigestion, hemorrhage of lungs, early stages of consumption, diarrhoea, dysentery or any bowel trouble, pellagra, rheumatism, sores, inactive liver, ulcerated stomach, liver and kidney trouble, flux and other spring and summer diseases, early stages of eczema, burns, backache and general weakness, "T. B. of the bone," skin diseases, that it was a malarial preventative; that it was a natural remedy and purifier which cooperated with the blood system and action of the body in such way that it would give nature an opportunity to build back and restore to the body that which it had lost; that water would dilute the strong destructive acids in all parts of the body, and prepare the way for the product to follow with its healing power; that it was a natural iron tonic for the special purpose of regulating the appetite and causing the food to be assimilated; that it was a general remedy for internal and external use on man or beast; that it was a splendid blood purifier; was nature's remedy; that it would purify the blood and remove pimples from the face; that it was "nature's remedy when one is out of repair and needs treatment"; that it should be poured freely into the hog and chicken troughs for cholera and as a cholera preventative; and was efficacious for sorehead on chickens, which representations were false and misleading since the article was not efficacious for the purposes for which it was recommended.

On June 4, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

**VETERINARY REMEDIES<sup>3</sup>**

**208. Misbranding of Acme Worm Bouncer. U. S. v. 5 Bags of Acme Worm Bouncer. Default decree of condemnation and destruction. (F. D. C. No. 1419. Sample Nos. 46759-D, 49709-D.)**

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below.

On February 2, 1940, the United States attorney for the Western District of Wisconsin filed a libel against five bags of Acme Worm Bouncer at Monroe, Wis., alleging that the article had been shipped in interstate commerce on or about November 28, 1939, and January 9, 1940, by Acme Feeds, Inc., from Forest Park, Ill.; and charging that it was misbranded.

Analysis showed that the article consisted essentially of charcoal, sulfur, iron oxide, iron sulfate, salt, sodium sulfate, and a small proportion of Epsom salt.

The article was alleged to be misbranded in that the labeling bore representations that it was a "worm bouncer," that no drenching, dosing, handling, or

<sup>3</sup> See also N. J. Nos. 172 and 207.

starving were required, that it should be kept before pigs at all times to prevent reinfestation; that it was the only worm expeller on the market successfully fed in self-feeders; that chicks should be wormed when they are 8 weeks old, that 1 pound of the article should be used with every 100 pounds of Acme Growing Mash; that the birds should be kept confined in a separate house during treatment so that they could not pollute the yard with worm eggs and thus infest the other flocks; that if the birds are wormed too late the worms have a chance to develop and mature their eggs which would pass out and reinfest the birds before they recover from the first worming; that it should be used as a general worm treatment for laying flocks and if the flock is extremely wormy; that it would be efficacious for sheep and lambs that are in bad or unthrifty condition; that they should have free access to the article and that it would help to prevent scours and bloat; that a handful three times a day should be given to horses and colts until the worms were expelled and thereafter a handful should be given each day to keep the horses in good condition; and that it would be efficacious to remove the cause and would expel and prevent free intestinal worms and 90 percent of disease, which representations were false and misleading.

On March 12, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

**209. Misbranding of Dry Dip. U. S. v. Fourteen 25-Pound Pails of Dry Dip. Default decree of condemnation, forfeiture, and destruction. (F. D. C. No. 1131. Sample No. 55889-D.)**

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below.

On January 2, 1940, the United States attorney for the Northern District of Illinois filed a libel against fourteen 25-pound pails of "A Remedy Erroneously Sometimes Called Dry Dip" at Sterling, Ill., alleging that the article was transported in interstate commerce on or about August 18, 1939, by the German Laboratories from Cedar Rapids, Iowa; and charging that it was misbranded.

Analysis showed that it consisted chiefly of calcium carbonate and iron compounds, containing creosote oil, phenols, and small amounts of nicotine, naphthalene, and siliceous material.

The article was alleged to be misbranded in that representations in the labeling that it was a remedy for combating flu germs in livestock; that when the hogs rake their bedding together they pile up, that then the inner hog gets too warm and goes outside to eat and catches cold, and that flu thus develops; that if the remedy were sprinkled in the hog bedding they would not pile up, and that it was an efficacious flu remedy for hogs, horses, cattle and poultry, were false and misleading, since it would not act as an effective remedy for combating flu germs in livestock or in poultry when used as directed.

The article also was alleged to be misbranded under the Insecticide Act of 1910, as reported in notices of judgment published under that act.

On June 3, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

**210. Misbranding of Koxy-Ton. U. S. v. Five 1-Gallon Containers, 10 Half-Gallon Containers, and 3 One-Fourth Gallon Containers of Koxy-Ton. Default decree of condemnation and destruction. (F. D. C. No. 1761. Sample No. 5893-E.)**

The labeling of this product bore false and misleading representations regarding its efficacy in the treatment of the conditions indicated below.

On April 12, 1940, the United States attorney for the Southern District of Indiana filed a libel (amended June 7, 1940) against the above quantities of Koxy-Ton at Sullivan, Ind., alleging that the article had been shipped in interstate commerce on or about June 10, 1939, by the Kilz-Jerm Laboratory from West Toledo, Ohio; and charging that it was misbranded.

Analysis showed that the article consisted essentially of magnesium sulfate, catechu, acetic acid, and water.

The article was alleged to be misbranded in that its labeling bore representations that it constituted a properly balanced product for use in the prevention and treatment of coccidiosis in poultry; that coccidiosis may occur at any time when chicks are 1 week to 4 months old or may be found in chronic form in older birds; that the product should be fed at regular intervals each week according to directions as a preventative and that a careful program might